

**BEFORE THE UNITED STATES JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

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IN RE: NATIONAL PRESCRIPTION	)	
OPIATE LITIGATION	)	
	)	
	)	MDL No. 2804
	)	
This document relates to:	)	
	)	
<i>Union County v.</i>	)	
<i>Purdue Pharma L.P. et al.,</i>	)	
1:19-cv-05419	)	

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**NOTICE OF OPPOSITION**  
**TO CONDITITONAL TRANSFER ORDER NO. 81**

COMES NOW Plaintiff, Union County, New Jersey, by and through its undersigned counsel, and files this Notice of Opposition to Conditional Transfer Order No. 81 pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation.

Union County will and hereby does inform the Panel as follows:

1. On December 20, 2018, Union County filed a lawsuit in the Superior Court of New Jersey, Law Division, Union County, against the following manufacturers and/or distributors of opioid drugs: Purdue Pharma, L.P.; Purdue Pharma Inc.; the Purdue Frederick Company, Inc.; Teva Pharmaceutical Industries, Ltd.; Rhodes Pharmaceuticals L.P.; Rhodes Technologies; Rhodes Technologies, Inc.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. (n/k/a Janssen Pharmaceuticals, Inc.); Endo Health Solutions Inc.; Endo Pharmaceuticals, Inc.; Allergan plc (f/k/a Actavis plc); Actavis, Inc. (f/k/a Watson Pharmaceuticals, Inc.); Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc. (f/k/a Watson Pharma, Inc.); Insys

Therapeutics, Inc.; Mallinckrodt PLC; Mallinckrodt LLC; AbbVie Inc.; Abbott Laboratories; AbbVie Products LLC (f/k/a Solvay Pharmaceuticals, Inc.); AmerisourceBergen Drug Corporation; Cardinal Health Inc.; and McKesson Corporation. The action arises out of the fraudulent marketing scheme developed and implemented by manufactures of opioid drugs and distributors' furtherance of that scheme by distributing, supplying, selling, and placing into the stream of commerce prescription opioids without fulfilling their duty to monitor, detect, investigate, warn and report of diversion of dangerous drugs for non-medical purposes.

2. Despite the fact that Plaintiff has pled only state-law claims, Defendant McKesson Corporation removed this matter to the U.S. District Court of New Jersey on February 11, 2019. Union County intends to file in the District of New Jersey a motion to remand the case to the Superior Court of New Jersey, Law Division, in Union County.

3. On or about February 21, 2019, the Panel for Multidistrict Litigation filed Conditional Transfer Order No. 81, which would transfer this matter to the U.S. District Court for the Northern District of Ohio.

4. Union County opposes the transfer of its case to the *In re: National Prescription Opiate Litigation* MDL in the Northern District of Ohio. Accordingly, Union County files this Notice of Opposition to Conditional Transfer Order No. 81, in accordance with the rules and deadlines prescribed by the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation. Union County intends to file a Motion to Vacate the Conditional Transfer Order within fourteen (14) days after filing this Notice of Opposition.

DATED February 27, 2019

Respectfully submitted,

By: /s/ Allan Kanner

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(\*application for Pro Hac Vice to be filed)

*and*

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*Attorneys for the Plaintiff Union County*

**CERTIFICATE OF SERVICE**

I, HEREBY CERTIFY that on this 27<sup>th</sup> day of February 2019 a true and correct copy of the foregoing has been served on all counsel of record via the CM/ECF filing system.

/s/Allan Kanner